

MINUTES
CITY OF JEFFERSON COMMON COUNCIL
DECEMBER 7, 2004

The Tuesday November 16, 2004, meeting of the City of Jefferson Common Council was called to order at 7:30 p.m. by Mayor Stevens. Members present were: Ald. Wagner, Ald. Bare, Ald. Olsen, Ald. McGrath, Ald. Benka, Ald. Gang, Ald. Coffman and Ald. Stewart. Also present were: City Administrator Bierma, City Attorney Brantmeier, City Engineer Ludwig, and City Clerk/Treasurer Stewart.

PUBLIC PARTICIPATION

Arnold Brawders, 335 East Linden Avenue, addressed the Council regarding the used of the Masonic Lodge for Food Fair. Mr. Brawders stated that the Masons, a group he is part of, have let the Food Fair program use the facility pro bono for over the last year. He stated that due to the fixed costs to the Masons, they are no longer able to let the program operate without some type of donation towards operational costs of the building. Brawders stated that suggestions such as adding \$1 to the cost of a unit or soliciting sponsors was discussed, he figured that this could probably raise about \$100 for the Masonic Lodge a month. He stated that the Masons were happy to assist with the program, but can no longer afford to sponsor the program pro bono.

Jim Van Lieshout, 229 Meadowood Court, then read a letter on behalf of Ms. Shirley Dempsey. Ms. Dempsey wrote that she did not believe that the advisory referendum for Wal-Mart was a good thing for the City at this time. She stated that she feels that the location of a new Wal-Mart may be better suited closer to the new Highway 26 bypass. She added that Ald. Olsen should rethink his request.

Jim Van Lieshout, 229 Meadowood Court, addressed the Council on several issues. Mr. VanLieshout indicated that he also did not support a referendum at this time. He stated that we do not live in a democracy we live in a represented republic. We elect people to act upon the wishes of the people that they represent. He stated that the elected officials should make a decision and not hide behind a referendum. He stated that decisions such as staff cuts should only be suggested after a full analysis of all of the costs, savings and repercussions that could happen as a result of the decision being made. Otherwise you aren't making a bold move you are making a dangerous move. He stated that as a businessperson he is familiar with reductions in staff and they are never pleasant. VanLieshout noted that his opposition to the cuts was born out of the fact that no one made a case for the reduction. He stated that the move looked at best like a knee jerk reaction to a problem and at worst a not so subtle way to remove a couple individuals that you do not like.

Nancy Haberman, 536 East North Street, addressed the Wal-Mart Referendum issue. Ms. Haberman stated that referendum is opposed by both sides of Wal-Mart issue. She stated that it is her fear that the period before the referendum would be just another period of untruth, where misinformation would be spread. She stated that she also doesn't want to see a wheel tax or any other type of additional tax added to her or her home. Haberman stated that the Council needs to increase the tax base. She encouraged the Council to do their job and make the tough decisions

that need to be made for Jefferson. Haberman then gave an overview of the businesses that are now gone from Jefferson. Haberman concluded by stating the Council should do what is good for Jefferson and get it over with.

Tom Pinnow, 410 East Ogden, addressed the Council regarding Wal-Mart. Mr. Pinnow stated that he was concerned about a referendum for business development. He indicated his concern of how this may be perceived by other investors who may be interested in Jefferson. Pinnow feels that a referendum would be bad for business. He stated that the JDC is in unanimous support of no referendum. He concluded by stating that it is not the role of the City Council to send a legitimate business away as long as they are willing to meet our guidelines.

Dave McGrath, Alderperson, then read a letter from Mr. Roy Johnson—Watertown Avenue. Mr. Johnson stated his displeasure with his property's annexation into the City of Jefferson. He stated that he now needs to have his lot surveyed to solve a boundary dispute with the City, he has a "park" next to his home that causes nothing but problems, and the cost of assessments to improve his property have nearly driven him out of his home. He added that he is going to start a grass roots campaign to put an end to Lubahn Park. He added that he did not feel that the Park and Recreation Director or the City Engineer are doing their jobs.

Dave McGrath, Alderperson, then made a few public comments. Ald. McGrath stated that the City of Jefferson is at a critical junction and the Council needs to decide if it is going to be driven by special interest groups or the taxpayers. He stated that the special interest groups have a vision of a Jefferson of their design, where their Council is eager to please them. He stated the other vision would be a Council protecting the taxpayer's resources. He noted that Jefferson has had tax increases above the cost of inflation for several years and if that continues will eliminate the ability for Jefferson to become a City of diversity. Ald. McGrath concluded by stating that the Council must decide whom they will govern for.

Ald. McGrath then stated that the public's conduct at the previous meeting was very disrespectful to the Mayor. He stated that the public should be ashamed for getting up and leaving after the discussion regarding the Park and Recreation Director and Engineer.

Bill Hughes, 203 North Jackson Avenue, addressed the Council regarding the termination of the Food Fair. Mr. Hughes stated that at first the project was taken on as a Senior Center Program and the Director had heavy involvement with the process. However, over the years the participation in the program has grown significantly and now the senior population only makes up 50% of the participants. He stated that due to the growth in the program it had been moved offsite to the Masonic Lodge and now generates over 180 units monthly to people in Jefferson and all of the surrounding areas. Hughes indicated that the workload has just become too great for the 6-7 regular volunteers that run the program. He stated that at this time, the volunteers are looking for someone else to take over the program in the New Year. Hughes concluded by stating that the loss of the Masonic Lodge was only a small portion of the decision to discontinue the program, the largest reason being the lack of volunteers for such a large program.

Steve Adams, 434 North Midway Avenue, addressed the Council regarding Food Fair. Mr. Adams stated that his brother and himself would pay the January rent for the Masonic Lodge for Food Fair.

Nancy Haberman, 536 East North Street, addressed the Council regarding Food Fair. Ms. Haberman stated that the public needs to be educated on the program. She stated that it is not just a matter of losing the Masonic Temple site, it is a matter of the program size getting so large that someone new, a larger organization, needs to take it over.

Bill Koehler, Highway K, addressed the Council regarding Wal-Mart. Mr. Koehler stated that he does indeed believe in free enterprise, but domination of the retail world is not acceptable to him. He then presented the Council with a listing of the top charitable contributors that showed that the Walton family only contributed 1% of their wealth.

Jane Twist, 663 North Dewey Avenue, addressed the Council regarding several issues. Ms. Twist stated that the amount you contribute to charities should not be a requirement of whether or not you can locate in Jefferson. She added that if that is the case then we probably need to ask many businesses to leave the City. Twist then addressed the location of the proposed Wal-Mart. She stated that she did not feel that there was a problem with the location and that business traffic to downtown Jefferson would be a plus. She added that we don't want everyone to bypass Jefferson when the bypass is completed. She also questioned the status of the sound system for the Council Chambers.

Jim VanLieshout then asked the Mayor for permission to leave the meeting.

Patti Lorbecki, 714 Windsor Terrace, addressed the Council regarding Wal-Mart. Ms. Lorbecki stated that the Coalition is now ready to present their petition of "no" signatures to the Council. Ms. Lorbecki indicated that the application was not circulated door to door, but was placed at numerous businesses for voluntary signatures. She noted that a total of 1,976 signatures had been received. She stated that Wal-Mart has been jerking our chain for several years now and that she questions everything about the organization.

Kathy Zimmerman, 425 North Stevens, addressed the Council regarding Wal-Mart. Ms. Zimmerman asked to review the application prior to its submission to the City. She stated that it is her suspicion that some of the individuals who signed the petition in favor of Wal-Mart had since changed their mind and she would like to cross check that information.

Tanya NP Stewart, City Clerk/Treasurer for the City of Jefferson, addressed the Council regarding non-union employees compensation. Ms. Stewart stated that the employees wished to present the Council with a survey of approximately 29 municipalities of similar size or similar geographic location that outlined their anticipated/approved benefits for 2005. Stewart stated that the staff is not asking to be pay leaders or to receive more compensation than their counterparts in other municipalities, just similar treatment. Stewart concluded by stating that the staff looks forward to working for the citizens and the Council in 2005.

Mike Steinhorst, Police Chief for the City of Jefferson, addressed the Council regarding employee compensation and the Police Department performance. Steinhorst indicated that the 2003 Uniform Crime Report places the JPD in a very good light, with recovery and other enforcement criteria ranking well above the State average. Steinhorst stated that the JPD is a very active department and he is personally very proud of how motivated and street smart his officers and other staff is. He stated that his Capt. and Lt. have put in numerous hours to retool the schedules to eliminate waste and reduce the number of overtime hours. Steinhorst noted that he had cut as much as he possibly can from the Police Department budget without effecting the department's operations. He stated that current happenings in the City have affected the staff's morale. He stated that he has numerous officers with applications in at other law enforcement entities, pending the results of compensation issues for 2005. He added that it costs money to recruit and retain and that rehiring employees does not come cheap. Steinhorst concluded by stating that, as a taxpayer, he hopes you are not cutting \$.10 today to cost him \$1.00 tomorrow.

Mike Sullivan, 757 North Jackson Avenue, addressed the Council regarding several issues. First of all, Mr. Sullivan stated that he wanted to thank the Council for their efforts to control taxes. He stated that on the Wal-Mart issue, we are a mobile society. On the issue of a wheel tax, he stated that he could live with that for a short time. And finally, on the issue of compensation for non-represented employees he stated that it is not fair to put the burden on the backs of the non-union staff. He stated that these are the people you entrust to run your organization and they should be compensated for the level of responsibility and knowledge they bring to the City. He added that if you continue to reduce compensation you won't be able to get anyone to fill these positions and if you do, you will be training them to leave. He concluded by stating that it costs money to retain your employees.

Charlotte Goers-Nevin, 122 North Pleasant Avenue, addressed the Council regarding Wal-Mart. Ms. Goers-Nevin stated that the petition for Wal-Mart was started by her sister and herself with the help of many other people as a means of letting the Council know that people were interested in this idea. Goers-Nevin stated that the petition was circulated door to door for about three weeks. She questioned how a referendum would help the situation the City is in and asked the Council to make a decision.

Peg Beyer, 623 South Center Avenue, addressed the Council regarding several issues. Ms. Beyer stated that at the last Council meeting a presentation was given on user fees. Beyer stated that she had an opportunity to speak with the presenter and it was stated that as long as the City is able to validate the fee it is charging it is OK to do so. Beyer suggested that when a plat is approved, along with the Park Fee, the City should also recoup costs for engineering and other associated staff costs. She added that she has heard a lot of depressing things tonight and that this was of concern to her. She stated that the City has a good staff that works hard for the City and encouraged the Council's support of them. She also stated that the Council should request all of the necessary information from Wal-Mart and then make a decision based upon that information.

Glenn Niederwerfer, 745 Lucas Lane, addressed the Council on multiple issues. Mr. Niederwerfer questioned where the tax relief from growth has gone and questioned how we

could be sliding backwards. Mr. Niederwerfer stated that he could not understand how the Council did not see this financial burden coming. He stated that he was seriously opposed to the wheel tax, especially for senior citizens. He added that all these measures are being considered due the lack of preplanning. He then questioned where the speaker system for the Council Chambers was.

Cindy Bauman, 515 East Woolcock, addressed the Council regarding several issues. Ms. Bauman stated that she is against a wheel tax, especially because it is necessary for her children to have vehicles. Ms. Bauman then noted her opposition to Wal-Mart; she stated that chain stores destroy small businesses. She encouraged the Council to look at the big pictures.

Dave Lorbecki, 714 Windsor Terrace, addressed the Council regarding Wal-Mart. Mr. Lorbecki stated that since 1992 his family has donated more than \$90,000 to the community piggy bank and that he has done a lot for the community. He stated that it wasn't until the Coalition formed that the Council considered the enacting of a "big box" ordinance. Mr. Lorbecki then explained the evolution of his business in Jefferson and his focus on making Jefferson a better place and adding to the community. He stated that he is very confused as to what the Council wants in a small community and he doesn't know what to do.

Tim Koehler, Highway K, addressed the Council regarding Wal-Mart. Mr. Koehler stated that he is not against development, just Wal-Mart. He then handed the Council an article regarding and agricultural perspective on conglomerates and price fixing.

Marge Ashburn, 746 Pinecrest, addressed the Council regarding the wheel tax. Ms. Ashburn stated that she could put up with an additional \$10 a year to help our budget. She also stated that the Council should consider fans and additional chairs for the Council Chambers.

PRESENTATION: STORM WATER UTILITY (MSA)

The Council then received a presentation from Mid State Associates regarding Storm Water Utilities. The presenters outlined the process for which a municipality must undertake to implement a storm water utility. He stated that the installation of a Storm Water isn't a new thing; it's the next thing.

MSA indicated that their services would run approximately \$8,000 to create a utility for the City.

It was also noted that if everything went perfectly, the process would take six to nine months.

DISCUSSION: FOOD FAIR ACTIVITY

Ald. Wagner stated that he understood that a lack of volunteers was at the heart of this issue, not the loss of the Masonic Lodge.

Ald. Gang stated that the Food Fair is a great activity to help people out, however, the program has outgrown our resources and has become beyond our limits. He stated that a civic organization with adequate resources needs to step up to run the program. He noted that the

Senior Center has other responsibilities that they need to keep up with and the program has run its course.

Ald. Bare clarified that the reason the program was being dropped was due to a lack of volunteers. He stated that it was his belief that the Senior Center was remodeled to hold Food Fair.

Nancy Haberman stated that the program was taken on many years ago by the Senior Director because the Center lacked programming. She stated that the volunteers are just burned out and that the Center was not remodeled to hold the Food Fair. She reiterated that this is not a Senior Program is it a community program. She thanked the Masons for their hospitality and reiterated that it is time for another organization to take over the Food Fair Program.

Ald. McGrath asked if the Food Pantry had been contacted. Senior Center Coordinator Frohmader stated that she had contacted them and they do not have the manpower to staff the program.

Ald. Olsen stated that he wished to thank Director Keller and Coordinator Frohmader. He stated that the issue is a lack of volunteers at this time and stated that he felt the program may be better run as a County program.

DISCUSSION: WHEEL TAX

City Administrator Bierma stated that the Council was looking for outside sources of revenues and that materials relating to this topic were included in the packet.

Ald. Gang stated that he thought we were looking at multiple sources of potential revenue and questioned why this wasn't being brought to the Finance Committee.

Administrator Bierma indicated that during the COW Workshop on the Budget it was discussed that this should be brought to a Council meeting.

Mayor Stevens suggested that revenues will be discussed starting in January of 2005.

Ald. Bare stated that he was concerned that no action was being taken to help alleviate future budget shortfalls. He stated that a wheel tax could be up and running in 60 days and we could realize revenues in 2005. He added that a wheel tax could add \$130,000 annually to the City of Jefferson and could help offset the costs associated with the Highway 18 reconstruction. He stated that a sunset could be placed on this tax, possibly coinciding with the reduction in debt service requirements in 2010. Bare concluded by stating that some residents of Jefferson are paying less than they should be and that a wheel tax is a more proportionate way to collect additional revenue.

Ald. McGrath stated that no tax ever goes away; for example the County ½ percent sales tax.

Ald. Wagner stated that none of the surrounding communities have a wheel tax and that he feels it is a tax on a tax.

Ald. Bare stated that there are many ideas to be looked at and pointed to the fact that Jefferson does not charge for many of the services that other municipalities charge for.

Ald. Benka agreed that Ald. Bare had a good point, but also felt that a tax wouldn't go away. However, he stated that people would probably favor a \$10 increase a year instead of a hypothetical 4% tax increase yearly.

Ald. Bare questioned where the money is going to come from next year. He stated that the Council is in a bad position and cannot afford to wait.

Ald. Coffman stated that we pulled nearly \$200,000 from reserves in 2003 and now are looking at over \$450,000 for this year. What we haven't talked about is cuts, everything is about fees.

DISCUSSION: WAL-MART REFERENDUM RESOLUTION

City Administrator Bierma stated that this item was put on the agenda per the request of Ald. Olsen.

Attorney Brantmeier then discussed the attachments included in the Council's packets. Atty. Brantmeier indicated that the wording of the referendum was changed based upon the recommendation of the State Election's Board; the resulting resolution was not drafted by the City Attorney, rather the Election's Board. Brantmeier also noted that he cannot find anywhere in statutes that would allow the referendum to be binding, only advisory.

Ald. Wagner stated that he has been through a lot of referendums. He suggested that everyone should be given a chance to vote and we shouldn't keep dragging this issue on.

Ald. McGrath suggested that we send a letter to Wal-Mart demanding submission of all of the necessary documents by a certain date.

Ald. Gang suggested that maybe Wal-Mart is jerking us (the City) around. He added that the Council can't make an educated decision until the information is presented to the Council. Until then, they have nothing to base their decision upon.

Ald. Wagner asked if the City could get sued over their actions. City Attorney Brantmeier that we can always get sued, however, whether or whether not we are liable is dependent upon a variety of factors/facts.

Ald. Olsen then summarized for the public a letter that he had written to the Mayor requesting an immediate Council discussion regarding the Wal-Mart issue. He stated that the Council needs to make a decision and move forward and that it is up to the public to direct their actions. He stated that as a new Councilperson he does not know the pulse of the population. He stated that the public needs to be educated so the can vote. He questioned why the community would not want to vote and added that Jefferson is more than a few people who speak week after week.

PUBLIC HEARING ON THE 2005 GENERAL, SPECIAL FUNDS AND WASTEWATER UTILITY BUDGETS AND ADOPTION OF THE 2005 GENERAL, SPECIAL FUNDS AND WASTEWATER UTILITY BUDGETS

Mayor Stevens called the public hearing to order.

City Administrator Bierma read the Notice of Public Hearing.

City Administrator Bierma then gave an explanation of the Proposed 2005 Budget.

Mayor Stevens then announced that if any citizen wished to address the Common Council on this issue, they could stand and give their name and address and address the Council at this time.

Peg Beyer, 623 South Center Avenue, stated that past Council's had issued debt for many projects that needed to get done in the City. However, she also noted the sharp decrease in shared revenues over the past 5-6 years. Beyer stated that she could live with a wheel tax with a sunset date.

Steve Adams, 623 South Center, stated that he favored a \$10 wheel tax rather than a 4% tax increase.

Hearing from no one else, Mayor Stevens closed the public hearing.

Ald. Stewart introduced Resolution No. 73.

**CITY OF JEFFERSON
RESOLUTION NO. 73**

BE IT RESOLVED by the Common Council of the City of Jefferson that the 2005 General Fund Budget attached hereto and the 2005 budgets for Special Funds and the Wastewater Treatment Utility are hereby adopted, and

BE IT FURTHER RESOLVED that any budgetary figures stipulated in the Municipal Code shall be amended to reflect changes authorized in the Municipal budget.

Ald. Stewart, seconded by Ald. Benka moved to recommend Resolution No. 73 for discussion.

Ald. Bare stated that according to his calculations the City has experienced an 87% tax increase since 1997, that indicates a problem here. He stated that everyone feels we should do something about it and asked the other Council members where we should start. Ald. Bare then presented a hypothetical solution to extending the replacement cycle on the City's dump trucks. After discussion with Superintendent Haffelder, Haffelder stated that he would be willing to see what he could do, but would be unable to completely agree or disagree with Ald. Bare's proposal.

Ald. Gang stated that he feels Superintendent Haffelder does a great job with his replacement schedules and appreciated Ald. Bare's efforts and felt that this is something that could be discussed in the future.

Ald. Olsen stated that he will not support the 7% tax increase, because the consumer price index is at 3.9%.

Ald. Wagner stated that he wanted to thank the Finance Committee for the work they put into the budget. However, he stated that he was opposed to any type of sales tax. He stated that even though his financial condition is probably the least favorable he would still support the tax increase.

Ald. Coffman stated that he wanted to discuss the \$61,000 in contingencies.

It was then explained that several projects and anticipated increases were budgeted in this line item.

Ald. Coffman stated that he felt that this was just a “pot of money” that we use to dip into. Ald. Coffman, seconded by Ald. Bare moved to remove the \$61,000 in contingency funds from the budget.

City Clerk/Treasurer Stewart stated that the removal of these funds would undoubtedly cause budget amendments and transfer from fund reserves by year-end. Stewart explained that funds for increases in wages had been budgeted in this line item as it has been done for the last 14 years.

Ald. Coffman stated that any offered increases would need to be taken out of the departmental budgets and something else would need to be forgone.

City Clerk/Treasurer Stewart stated that she was unsure if this type of amendment could be made to the budget at this point. She stated it was her understanding that the budget should not substantially deviate from the notice that was published in the paper. She then referred to Atty. Brantmeier for clarification.

After discussion, Ald. Coffman withdrew his motion.

Ald. Wagner stated that he thought the line item should be reduced to \$30,000, Ald. Bare seconded by motion. On call of the roll, motion carried by a vote of 6 to 2. Ald. Gang and Ald. Benka voted against the amendment.

Ald. Bare asked where the \$140,000 in property sale was reflected.

City Administrator Bierma stated that this dollar amount was not included in the budget because that dollar amount was unknown until after the budget document was assembled. Bierma stated that \$75,000 was put into line item 447 on page 3.

City Clerk/Treasurer Stewart stated that line item 447 was a transfer from the Land Fund to offset transfers into other funds and had nothing to do with anticipated revenue from property sales.

Ald. McGrath moved to table the budget. After advice from the City Attorney the motion was withdrawn.

Ald. Olsen stated he wanted to lower the budget more.

Ald. Olsen stated that he felt the \$140,000 for the land sale should be included as revenue, Ald. Coffman seconded by motion. On call of the roll, motion carried unanimously.

At this point a brief request was requested so that City Clerk/Treasurer Stewart could make the necessary changes to the tax rate and associated documents. City Attorney Brantmeier then reviewed Statutes to confirm that the Council was acting within its legal boundaries.

Ald. Bare asked for additional funds to be put into this revenue line item because he believes the City has one more building to sell.

Mayor Stevens stated that at this time the building isn't for sale and therefore we do not have an offer to purchase. Therefore it should not be included as revenue.

Ald. Benka stated that he could not support the lowering of the tax levy, because the ripple effect to the deficit next year would be that much greater.

Ald. Benka made a motion to accept the budget as originally proposed. Motion died for lack of a second.

Ald. Gang stated that we should try the 4.5%. He stated that Ald. Benka was right, a reduction in the levy this year means a greater shortfall next year. He stated that we need to compromise.

Ald. Benka stated that if the Council wanted to reduce the contingencies this should have been discussed back in November.

Ald. Gang added that that would have been a better way to proceed. He then asked Atty. Brantmeier what would happen if the budget wasn't approved this evening. Atty. Brantmeier indicated that the proposed budget would then be adopted by default

City Attorney Brantmeier clarified for the Council that, with respect to the removal of Contingency funds, they could not eliminate increases for employees without notice. He also added that the Council could not take funds out of departmental budgets without prior notice.

City Clerk/Treasurer Stewart stated that she needed a motion to clarify the previous amendments and to establish the new levy.

Ald. Bare, seconded by Ald. Olsen moved to adjust levy to \$2,905,003 and make the following adjustments to the 2005 Budget: addition in \$140,000 revenue and a reduction in the Contingencies line item of \$31,000.

Ald. Olsen stated that this will give the taxpayers a breather and will give the City a chance to institute some fees before the next tax season.

Ald. Benka stated that extra fees are just changing the type of tax, it is still a tax.

On call of the roll, motion carried 6 to 2. Ald. Benka and Ald. McGrath cast the dissenting votes.

Ald. Bare, seconded by Ald. Olsen moved to recommend Amended Resolution No. 73. On call of the roll, motion carried by a vote of 6 to 2. Ald. Benka and Ald. McGrath cast the dissenting votes.

RESOLUTION APPROVING 2004 TAX LEVY

Ald. Olsen introduced Resolution No. 74.

CITY OF JEFFERSON RESOLUTION NO. 74

BE IT RESOLVED by the Common Council of the City of Jefferson that the 2004 General Fund Property Tax Levy for Municipal Services in 2005 in the amount of \$2,905,003 is hereby approved; and

BE IT FURTHER RESOLVED that the following tax rate is hereby adopted:

CITY OF JEFFERSON	\$7.751577220
-------------------	---------------

Ald. Olsen, seconded by Ald. Bare moved to recommend Resolution No. 74. On call of the roll, motion carried unanimously.

CONSENT AGENDA

Ald. Wagner introduced Resolution No. 75.

CITY OF JEFFERSON RESOLUTION NO. 75

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for December 7, 2004 is hereby adopted.

The consent agenda for tonight includes:

- ◆ Vouchers Payable for November and December 2004 in the amounts of \$4,934.00 and \$274,971.91; Payroll Summaries for November 12 & 24, 2004 in the amounts of \$103,641.23 and \$98,123.66.

- ◆ Council Minutes from November 16, 2004 Regular and Closed Session Meetings of the Common Council.
- ◆ Licenses as Approved by the Regulatory Committee
 - ▣ Operator's Licenses
 - ▣ Special Class B Licenses

Ald. Olsen stated that he wanted to make the following correction to the November 8 Budget Committee of the Whole minutes. Olsen then read: "*Ald. Olsen noted that City Administrator Bierma spent a great deal of time and energy to show all the negatives of how the proposed staff cuts would impact the city. Ald. Olsen asked the city administrator to expend an equal amount of time and energy to research the positive impact that these position cuts would have.*" (A copy of Ald. Olsen's written statement is attached to minutes.) Ald. Benka seconded by motion for acceptance. Motion carried on a voice vote.

Ald. Wagner, seconded by Ald. McGrath moved to recommend Resolution No. 75. On call of the roll, motion carried unanimously.

RESOLUTION APPROVING CHANGE ORDER NUMBER 8 FOR CONTRACT B TO UPGRADE THE WASTEWATER TREATMENT FACILITY

Ald. Coffman introduced Resolution No. 76.

**CITY OF JEFFERSON
RESOLUTION NO. 76**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that Change Order Number 8 for Contract B to upgrade the Wastewater Treatment Facility be accepted thereby making a deduct of \$61,676 to the original contract with Miron Construction Company, Inc.

BE IT FURTHER RESOLVED, the Common Council approve the Project Acceptance Certification for the improvements to the Wastewater Treatment Facility as complete by Miron Construction Company, Inc. as defined in Contract B.

Ald. Coffman, seconded by Ald. Gang moved to recommend Resolution No. 76. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE JEFFERSON AREA SCHOOL DISTRICT FOR THE LEASE OF FISCHER FIELD

Ald. Gang introduced Resolution No. 77.

**CITY OF JEFFERSON
RESOLUTION NO. 77**

BE IT RESOLVED, by the City Council of the City of Jefferson, Wisconsin that the City Administrator is authorized to execute the agreement between the City of Jefferson and the School District of Jefferson for the lease of the property known as “Fischer Field” and guaranteeing that said property will be available for use by the City for a five year period.

Ald. Gang, seconded by Ald. McGrath moved to recommend Resolution No. 77. On call of the roll, motion carried unanimously.

RESOLUTION ENDORSING TAX REFORM INSTEAD OF TABOR

Ald. Bare introduced Resolution No. 78.

**CITY OF JEFFERSON
RESOLUTION NO. 78**

Tax Reform Instead of TABOR

WHEREAS, during the 2003-2004 legislative session the Wisconsin Legislature considered but took no vote on versions of a constitutional amendment imposing spending and taxing limitations on state and local government, referred to as the Taxpayers' Bill of Rights (TABOR); and

WHEREAS, legislative leaders have stated their intention to pursue some version of TABOR next session; and

WHEREAS, the League and its member municipalities have demonstrated their commitment to controlling spending and reducing the property tax burden on Wisconsin homeowners but believe that inserting taxing and spending limitations on state and local government into the constitution is unwise because: (1) it may have unintended and unanticipated negative consequences on municipalities; (2) it would be difficult to quickly modify the limitations in the future; and (3) it would impede local control of local policy decisions; and

WHEREAS, continuous increases in the number and scope of property tax exemptions over the years have unfairly shifted more of the burden of paying for necessary municipal services onto homeowners; and

WHEREAS, the Department of Revenue estimated the value of tax-exempt private real property in Wisconsin at \$18.6 billion in 2003; and

WHEREAS, in 1970 residential owners paid 50.6% of all property taxes in Wisconsin; and

WHEREAS, in 2004, as a result of property tax exemptions granted by the legislature over the last 34 years, residential owners pay 70% of the total property taxes in Wisconsin; and

WHEREAS, if all currently tax free private property was shifted back onto the tax rolls, homeowners in Wisconsin municipalities would experience an instant 8.4% reduction in their tax rates.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Jefferson, Wisconsin on December 7, 2004, urges the Legislature to reject TABOR in any form.

BE IT FURTHER RESOLVED, that the Common Council of the City of Jefferson, Wisconsin urges the Legislature to provide relief to the residential property taxpayer by examining all current property tax exemptions and retaining only those that advance important public policy goals.

Ald. Wagner asked if this resolution was referring to churches.

Ald. Coffman stated that he had a problem with the statement "...member municipalities have demonstrated their commitment to controlling spending and reducing the property tax burden..."

Ald. Bare, seconded by Ald. Gang moved to recommend Resolution No. 78. On call of the roll, motion carried 5 to 3. Ald. McGrath, Ald. Coffman and Ald. Stewart cast the dissenting votes.

RESOLUTION ENDORSING LEGISLATION TO ALLOW MUNICIPALITIES THE OPTION TO IMPOSE A MUNICIPAL LOCAL OPTION SALES TAX

Ald. McGrath introduced Resolution No. 79.

**CITY OF JEFFERSON
RESOLUTION NO. 79**

OPTIONAL MUNICIPAL SALES TAX

WHEREAS, in 2004 the state cut total shared revenue payments to cities and villages by \$53 million due to the state's budget deficit; and

WHEREAS, in this time of limited state financial resources and a seemingly permanent state fiscal crisis, shared revenue payments will likely continue to decrease; and

WHEREAS, additional reductions in shared revenue payments will force municipalities to rely further on the property tax to pay for the cost of delivering public services and meeting local needs; and

WHEREAS, Wisconsin property owners are already paying higher than average property taxes; and

WHEREAS, residential property owners pay nearly seventy percent of the total property taxes in Wisconsin; and

WHEREAS, additional reductions in shared revenue payments to municipalities will also exacerbate the tax rate disparity that exists between full service municipalities and low service towns; and

WHEREAS, a municipal sales tax option would help make up the loss in state shared revenues, provide an opportunity for property tax relief, and generally ease the property tax disparity between municipalities and towns; and

WHEREAS, over time sales taxes grow with the economy and are linked in general to an individual's ability to pay.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of Jefferson Wisconsin convened on December 7, 2004 urges the Legislature and the Governor to enact legislation authorizing municipalities to impose a municipal local option sales tax.

Ald. Wagner asked who would oversee this tax.

Ald. Olsen stated that this would be saying to taxpayers we want more money.

Ald. Bare stated that this would impact Jefferson residents as well as anyone else who shops or just passes thru Jefferson.

Ald. McGrath, seconded by Ald. Bare moved to recommend Resolution No. 79. On call of the roll, motion carried by a vote of 5 to 3. Ald. Bare, Benka and Gang cast the dissenting votes.

RESOLUTION ENDORSING LEGISLATION WHICH WOULD EXEMPT MUNICIPALITIES FROM THE COUNTY TAX LEVY FOR CERTAIN SERVICES

Ald. Benka introduced Resolution No. 80.

**CITY OF JEFFERSON
RESOLUTION NO. 80**

Exempting Municipalities from the County Tax Levy for Certain Services

WHEREAS, taxpayers in cities and villages pay county property taxes for certain services they do not receive from the county because such services are provided by the city or village; and

WHEREAS, some examples of this double taxation are county sheriff patrol services, planning, and zoning administration; and

WHEREAS, the Wisconsin Legislature and Governor have recognized the inequity of property taxpayers paying twice for certain services and state law currently allows municipalities

to opt out of paying the county levy for library services and public health department functions;
and

WHEREAS, double taxation means that city and village property taxpayers are subsidizing property taxes for those towns who rely upon the county for services; and

WHEREAS, the subsidy paid by residents of many cities and villages contributes to the disparity between urban and rural tax rates; and

WHEREAS, the elimination of double taxation may encourage consolidation of services and result in cost savings for property tax payers.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of Jefferson, Wisconsin assembled on December 7, 2004 urges the Governor and Legislature to enact legislation exempting city and village taxpayers from paying property taxes for sheriff patrol services, county zoning, and other services the county does not provide to residents of the city or village.

Ald. Olsen stated that this resolution makes it sound like Jefferson is an island of itself.

Ald. Bare stated that this resolution would allow municipalities to get a credit for the duplication of services, such as already is done for the Library.

Ald. Benka, seconded by Ald. McGrath moved to recommend Resolution No. 80. On call of the roll, motion carried 7 to 1. Ald. Wagner cast the dissenting vote.

RESOLUTION APPROVING THE AGREEMENT WITH FOR EAST AND WEST RACINE STREET

Resolution No. 81 was removed from the agenda.

Ald. Benka, seconded by Ald. Wagner moved to adjourn to closed session pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to Discuss Employment. On call of the roll, motion carried unanimously.

Ald. Coffman, seconded by Ald. McGrath moved to reconvene to open session. On call of the roll, motion carried unanimously.

HIRE OF EMS PERSONNEL

Ald. Coffman introduced Resolution No. 82.

**CITY OF JEFFERSON
RESOLUTION NO. 82**

WHEREAS, The City of Jefferson has an EMS Service

WHEREAS, EMT's are the manpower behind the service

NOW THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to hire Kathy Cavanna and Jude Redenbaugh as Licensed EMT Intermediates at a rate of \$8.25/hour (run-time) and Rhonnie Garcia and Jackie Tucker as Basic EMTs at rate of \$7.25/hour (run-time).

Ald. Coffman, seconded by Ald. Gang moved to recommend Resolution No. 82. On call of the roll, motion carried unanimously.

Ald. Wagner, seconded by Ald. Benka moved to adjourn the December 7, 2004 meeting of the Common Council. Motion carried unanimously on a voice vote.

The minutes of the December 7, 2004, meeting of the Common Council are uncorrected. Any corrections made thereto will be noted in the proceedings at which time the minutes are approved.

Please Publish: ASAP
Need an affidavit
Not in the legal section

FROM : OLSEN FUNERAL HOME

FAX NO. : 920-674-9880

Dec. 08 2004 11:11AM P2

December 8, 2004

TO: Tanya Stewart

CC: Bruce Bierma

FR: Dave Olsen

RE: Minutes correction

Since I read this correction to the minutes of the November 8, 2004 Committee of the Whole Budget Workshop so fast last night, I thought I would send you what I read:

Ald. Olsen noted the city administrator spent a great deal of time and energy to show all the negatives of how the proposed staff cuts would impact the city. Ald. Olsen asked the city administrator to expend an equal amount of time and energy to research the positive impact that these position cuts would have.